

REMARKS

Applicant acknowledges the Examiner's careful review of this application. Applicant does, however, respectfully request reconsideration and allowance.

Support for the Claim Amendment

The Amendment does not raises a new issue, does not present new matter, and is intended to respond fully and satisfactorily to the Office Action. Applicant therefore earnestly but respectfully, requests the Examiner to enter this Amendment.

It is respectfully submitted that the resin layer (A) is described in the amended claims 1 and 18 consistent with the original specification at, for instance, page 13, lines 10-16.

It is thought that the insoluble methyl-methacrylate particles are described in the amended claims 1 and 18 consistent with Applicants' original specification at, for example, page 9, lines 8-12, page 10, lines 1-8, page 11, lines 3-8 and from page 16, line 22 to page 17.

Applicant has deleted the expression "have a uniform composition" from the recitation describing the insoluble methyl methacrylate particles. Such deletion is without prejudice.

Applicant has deleted the expression "resin layer (A) has no insoluble methyl methacrylate particles." Such deletion is without prejudice. The Examiner is urged to re-review the Examples relating preparation of resin (A) from which it will be apparent that the language had support in the application as originally filed.

Interview Summary

Applicant's legal representative acknowledges the Examiner's courtesy and the constructive dialog during a telephone interview conducted on or about May 5, 2004 and the personal interview held on September 7, 2004.

Applicant's legal representative and the Examiner discussed alternative language to the expressions now deleted without prejudice from claims 1 and 18. As to the resin layer (A), transition language was discussed. Applicant has previously suggested "consisting essentially" as an acceptable transition so as to avoid an amount of insoluble methyl methacrylate particle(s) that would materially adversely affect the properties of resin layer (A). As discussed with the Examiner on September 7, 2004, the Examples relating the preparation of resin (A) show that 100 % of the resin is made up of components such that the resin (A) did not include insoluble particles.

As to the resin layer (B), it is described consistent with the methods described in the specification. This was discussed with the Examiner and page 9, lines 8-12 and page 16, line 22 to page 17, line 17 were brought out in the discussion.

The possibility of a Declaration being submitted to support the alternative language for resin layers (A) and (B) was discussed in May 2004 and a Declaration was submitted herein on August 6, 2004. The Declaration was discussed during the September 7, 2004 interview.

Applicant again wishes to acknowledge the Examiner's constructive approach and his consideration of the alternatives summarized above.

Declaration

Applicant respectfully submitted a Rule 132 Declaration as a follow-up to the May 5, 2004 telephone interview. Applicant respectfully requests the Examiner to enter the Rule 132 Declaration. If the Examiner needs another copy thereof, please telephone the undersigned.

Prior Art Rejections

Applicant acknowledges with appreciation that the prior art rejections have been withdrawn.

Claim Rejection - 35 U.S.C. §112

Claims 1, 2, 5, 8-12 and 15-23 were rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the written description requirement. This rejection is understood to be based on the Examiner's two-fold position that the original disclosure contains neither explicit nor implicit support for the limitations:

"the resin layer (A) has no insoluble methyl methacrylate particles"; and
"the insoluble methyl methacrylate particles have a uniform composition."

Independent claims 1 and 18 have been amended to recite alternative language to describe resin layer (A) as basically avoiding insoluble methyl methacrylate particles that would adversely affect the layer, and to describe resin layer (B) as basically avoiding core-shell structured particles.

As to resin layer (A), the expression "consisting essentially of" was previously proposed as a reasonable basis for avoiding the presence of insoluble methyl methacrylate particles that would lead to undesired results. The Examiner is again respectfully requested to consider Comparative Example 4. This Comparative Example 4 provides basis to for undesired results associated with the presence of insoluble methyl methacrylate particles. For instance, it appears that the sheet in Comparative Example 4 having such particles has a larger bias of thickness compared to a sheet of an intermediate resin layer (A) that avoids such component and resin layers (B) in Examples 1-4.

As to resin layer (B), the Declaration of record from Applicant relates the amended claim language for such resin layer(s) to the specification at page 9, lines 8-12; page 10, lines 1-8; page 11, lines 3-8; and page 16, line 22 to page 17, line 17. The Declaration is thought to be responsive to the Examiner's suggestion made during the interview on or about May 5, 2004 and as further discussed with the Examiner on September 7, 2004.

The Examiner will appreciate that a mono-layer is not the same as an at least three-layered laminate. Therefor, even if, *arguendo*, a mono-layer of a resin (B) was considered hypothetically, it would not be the same as an at least three-layered laminate

as claimed herein. Structurally the laminate would be different inasmuch as multi-layers by definition are different than a mono-layer. Again, hypothetically, and *arguendo*, the claimed laminate would be novel and would not have been suggested by three layers of resin (B) layered together. The latter would not include a resin layer (A).

Request for re-consideration and authorized Examiner Amendment

While Applicants have amended claims 1 and 18 to use 'consisting of' in an effort to bring this six year prosecution to close, it is very earnestly suggested that the Examiner re-consider the rejection. It is also very earnestly suggested that the Examiner re-review the Examples for preparing resin (A) whereupon the basis for the language previously objected to (resin (A) not including insoluble methyl methacrylate particles or 'resin (A) consisting essentially of'). It is respectfully, but strenuously, urged that the Examiner reconsider and withdraw the rejection, and furthermore reconsider the language 'consisting essentially of' - which Applicant authorizes the Examiner to enter by an Examiner's Amendment - for the resin (A) recitation.

Conclusion

Applicant has endeavored to respond to the Office Action in a manner consistent with the constructive, helpful discussion had with the Examiner. If the Examiner has any questions, or has suggestions towards advancing prosecution, please contact the undersigned. Applicant very earnestly, but respectfully, solicits favorable consideration of this Amendment followed by a Notice of Allowance.

Respectfully submitted,

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